

## Exhibit 16

**From:** Ames, John A (Drew)  
**To:** Harvey, Benjamin (FHWA)  
**Subject:** DRAFT!!! for FYI  
**Date:** Tuesday, October 29, 2024 10:30:00 AM

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Hi Susan,

I've put some thoughts together for this afternoon's meeting.

Given the results of the latest bridge inspection report on the Skinners Falls Bridge, we need to look a lot more closely at the PEL alternative to remove the bridge, potentially without replacing it.

I've talked with Kris, Heather, and Ben Harvey in some depth and here are the considerations we've determined need to be addressed:

- For NEPA, it would be desirable to update the project needs statements to add:
  - the bridge condition is critical — include details from the inspection report; and
  - pieces of the bridge are falling off and potentially endangering people boating beneath it.
  - FHWA would need to agree to the changes above.
- An emergency declaration from the president or governor would not likely help expedite the NEPA process for a few reasons:
  - 23 CFR 771.117(c)(9) does not include removal only as an emergency scope of work that can be documented as a CE1a
  - There are additional concerns with agency cooperation listed below.
- Regardless of whether we use 100% state funding or have federal funding; we believe there is still a federal nexus due to the NPS having to issue a special use permit.
  - The NPS has already expressed opposition to removing the bridge.
  - If we use 100% state funding, then the NPS will be the lead federal agency.
  - If we use FHWA funding, NPS will insist on doing their own NEPA analysis anyway
- The removal option will be an adverse effect under Section 106.
  - Even if we carefully dismantle the bridge and store it for future rehabilitation and reuse, the SHPO will still consider the removal an adverse effect because we do not have a plan for rehab at this time.
  - The NPS is likely going to elevate this project to the Advisory Council for Historic Preservation.
- The adverse effect will require an individual Section 4(f) evaluation.
  - If we choose the removal alternative, then we need to demonstrate why the other alternatives are not feasible or prudent.
  - The current condition of the bridge may be the strongest argument for removal being a prudent alternative

- Finally, FHWA will need to help us determine how to address the PEL study, whether and how it needs to be updated, and what processes that requires.

From my perspective, the most critical things we need right now is:

- Federal funding so that FHWA is the lead federal agency.
- Concurrence from (at least) the UDC, NPS, FHWA, NYDOT, and JIBC on the alternative to move forward. The other agencies need to be made aware of the structural issues in the inspection report and how they affect the choices of alternatives going forward.
- A dedicated, consistent, and transparent public information effort so that everyone is aware of the bridge condition, the immediacy of those issues, and the necessity for action.

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